

AMENDED IN SENATE MAY 26, 2006

SENATE BILL

No. 1226

Introduced by Senator Chesbro
(Principal coauthor: Assembly Member Evans)

February 1, 2006

An act to add Section 11011.26 to the Government Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1226, as amended, Chesbro. Surplus state property: County of Napa.

Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the director to sell or exchange, *at current fair market value*, all or part of a specified parcel of state property to the County of Napa upon those terms, conditions, reservations and exceptions the director determines are in the best interest of the state. *The bill would require any agreement for the sale or exchange of the property to include a provision that requires the County of Napa to retain title to the property for use as a park and wilderness reserve in the event of a future sale of that property by the county.*

~~The bill would require the director, if the parcel is disposed of by a means other than being sold, exchanged, or leased for fair market value, to report specified information to the chairs of the legislative fiscal committees 30 days prior to completing a transaction regarding the parcel.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 11011.26 is added to the Government Code, to read:

11011.26. (a) ~~Subject to making the report required in subdivision (b), the Director of General Services may sell or exchange~~ *Except as provided in subdivisions (b) and (c), the Director of General Services may sell or exchange at current fair market value to the County of Napa, upon those terms and conditions and subject to those reservations and exceptions the director determines are in the best interests of the state, all or any part of the following real property, by January 1, 2009, after which date, if not sold or exchanged, the property is no longer surplus:*

Approximately 850 acres of property, located at the Napa State Hospital, 2100 Napa Vallejo Highway, Napa, Napa County.

~~(b) Thirty days prior to completing a transaction authorized in subdivision (a), if the Director of General Services disposed of the property in any way other than by selling, exchanging, or leasing for fair market value, the director shall report to the chairs of the legislative fiscal committees all of the following:~~

~~(1) The financial terms of the transaction.~~

~~(2) A comparison of fair market value for the property and the terms listed in paragraph (1).~~

~~(3) The basis for agreeing to terms and conditions other than fair market value.~~

(b) Notwithstanding the terms and conditions negotiated pursuant to subdivision (a), in no event may the director sell or exchange the property identified in subdivision (a) at a value less than current fair market value.

(c) An agreement for the sale or exchange the property identified in subdivision (a), pursuant to subdivisions (a) and (b), shall require the County of Napa to retain title to the entire property sold or exchanged for use as a park and wilderness preserve upon a future sale or exchange of that property by the County of Napa.